

The York-Poquoson Sheriff's Office wishes to remind the citizens of York County and Poquoson of the laws governing the use mopeds and scooters on public roads.

According to the Va Code (§ 46.2-100 ) a Moped is defined as a conveyance that is either (i) a bicycle-like device with pedals and a helper motor that is rated at no more than two brake horsepower and that produces speeds up to a maximum of 30 miles per hour or (ii) a motorcycle with an engine displacement of 50 cubic centimeters or less and a maximum speed of less than 30 miles per hour. For purposes of this title, a moped shall be a vehicle while operated on a highway.

Virginia law also provides for the following:

1. No moped shall be driven on any highway or public vehicular area (i) faster than thirty miles per hour or (ii) by any person under the age of sixteen. (46.2-914)
2. Every bicycle, electric personal assistive mobility device, electric power-assisted bicycle, and moped when in use between sunset and sunrise shall be equipped with a white light on the front that shall be visible in clear weather from a distance of at least 500 feet to the front and with a red reflector on the rear. Such reflector shall be of a type approved by the Superintendent and shall be visible in clear weather from fifty feet to 300 feet to the rear when directly in front of lawful high beams of head lights on a motor vehicle. A red light visible in clear weather for 500 feet to the rear may be used in lieu of or in addition to the red reflector. Such lights and reflector shall be of types approved by the Superintendent. (46.2-1015)
3. Any dealer who sells any moped at retail shall affix to any such moped, or verify that there is affixed thereto a permanent decal or sticker which states (i) that the operation of mopeds on highways and public vehicular areas by persons under the age of sixteen is prohibited by Virginia law, (ii) the maximum horsepower of the moped, and (iii) the maximum speed at which the moped may be ridden. Any dealer who sells any such moped which does not have affixed thereto such a permanent decal or sticker or who sells a motorcycle with such a sticker or decal attached thereto indicating that its motor is rated at no more than two brake horsepower producing only ordinary speeds up to a maximum of thirty miles per hour shall be guilty of a Class 1 misdemeanor. (46.2-915)
4. It shall be unlawful for any person to operate a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth while using earphones on or in both ears. (46.2-1078)

5. Any person operating a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on a roadway at less than the normal speed of traffic at the time and place under conditions then existing shall ride as close as safely practicable to the right curb or edge of the roadway, except under any of the following circumstances:
    1. When overtaking and passing another vehicle proceeding in the same direction;
    2. When preparing for a left turn at an intersection or into a private road or driveway;
    3. When reasonably necessary to avoid conditions including, but not limited to, fixed or moving objects, parked or moving vehicles, pedestrians, animals, surface hazards, or substandard width lanes that make it unsafe to continue along the right curb or edge;
    4. When avoiding riding in a lane that must turn or diverge to the right; and
    5. When riding upon a one-way road or highway, a person may also ride as near the left-hand curb or edge of such roadway as safely practicable.
- (46.2-905)